

DEPARTMENT OF HIGHER EDUCATION AND TRAINING

NO. 235

19 March 2021

**NATIONAL REGISTER OF ARTISANS REGULATIONS. 2020 SKILLS
DEVELOPMENT ACT, 1998 (ACT 97 OF 1998)**

I, Bonginkosi Emmanuel Nzimande, Minister of Higher Education, Science and Innovation, in terms of Section 26C of the Skills Development Act, 1998, after consultation with the National Skills Authority (NSA), hereby publish the National Register of Artisans Regulations 2020, in the attached schedule for implementation.



Dr BE Nzinmande, MP

Minister of Higher Education, Science and Innovation

Date: 02/02/2021

REGULATIONS**Schedule****PREAMBLE**

These regulations:

1. Implement Section 26 C of the Skills Development Act No 97 of 1998, as amended in 2008.
2. Establish and maintain the Register of Artisans in South Africa.
3. Define the requirements and the process of registering on the Department of Higher Education and Training (DHET) Register of Artisans.
4. Enable the DHET to distinguish for statistical purposes between artisans practicing the trade in which they are qualified and those who are no longer practicing the trade.
5. Enable the DHET to distinguish and monitor for statistical purposes between foreign national and South African qualified artisans in the country.
6. Enable the DHET to determine the need for and grow the capacity of mentors for mentoring of artisan apprentices.
7. Assist DHET to determine the targets for focused artisan training in order to address the scarcity of artisans to industry.
8. Does not seek to establish a professional body for qualified artisans in South Africa, rather work with all professional bodies in maintaining a register of all qualified artisans.

ARRANGEMENT OF REGULATIONS

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1. Definitions

In these regulations, any word or expression to which a meaning has been assigned in the Skills Development Act (SDA) has that meaning unless the context indicates otherwise; and

“**Artisan**” means a person that has been certified as competent to perform a listed trade in accordance with the SDA.

“**Artisan Learner**” means a learner undergoing a formal learning program which includes structured work experience components in a listed trade, and include a trade test in respect to that trade.

“**DG**” means the Director-General of the Department of Higher Education and Training.

“**Listed Trade**” means a trade listed in terms of Section 26 B of the SDA and published in Government Gazette No 35625 dated 31 August 2012.

“**The Registrar**” means the office of the Director-General of the Department of Higher Education and Training as prescribed in section 26(C) 1 of the Skills Development Act, or any department within DHET delegated by the DG.

“**QCTO**” means The Quality Council for Trade and Occupations.

“**SAQA**” means the South African Qualifications Authority.

“**Qualified Artisan**” in terms of these regulations means a person who has undergone a Trade Test and passed, and is certificated as an artisan in terms of the SDA or any other South African Act in a specific listed trade.

“**Practicing Artisan**” in terms of these regulations means a person who has passed a trade test in a listed trade and is using tools, equipment and machinery to manufacture, produce, service, install or maintain tangible goods, products or equipment in an engineering and/or technical work environment in the listed trade

in which he/she is certificated by QCTO or any other legislation in a specific listed trade.

“Non-Practicing Artisan” in terms of these regulations means a person who has passed a trade test in a listed trade and is not using tools, equipment and machinery to manufacture, produce, service, install or maintain tangible goods, products or equipment in an engineering and/or technical work environment in the listed trade in which he/she is certificated by QCTO or any other South African Act in a specific listed trade.

“Foreign National Practicing Artisan” in terms of these regulations means any foreign national artisan who is certified as an artisan by QCTO or holds a qualification issued in the country of origin and the qualification has been evaluated and verified by SAQA, who is using tools, equipment and machinery to manufacture, produce, service, install or maintain tangible goods, products or equipment in an engineering and/or technical work environment in the listed trade in which his/her qualification has been evaluated and verified by SAQA

“Foreign National Non-Practicing Artisan” in terms of these regulations means any foreign national artisan who is certified as an artisan by QCTO or holds a qualification issued in the country of origin, and the qualification has been evaluated and verified by SAQA, who processes trade certificate in a particular trade, not engaged in the practice of that profession.

“New Registration” in terms of these regulations means the first time provision of personal data by an applicant in order to register or enroll, through provision of prescribed information, in the National Register of Qualified Artisans by the Registrar.

“Deregistration” in terms of these regulations means the removal of a previously registered artisan from the National Register of Qualified Artisans by the Registrar.

“Re-Registrations” in terms of these regulations means the renewal of registration in the National Register of Qualified Artisans.

“Trade Test” means a final integrated summative assessment for an artisan qualification for a listed trade/Occupational Trade that is conducted at an accredited trade test center by an assessor registered with NAMB.

“**Trade Test Certificate or Occupational Trade Certificate**” means a certificate in terms of this regulation issued by the QCTO to a learner who has passed a trade test.

“**NADSC**” mean the National Artisan Development Support Center in the Skills Branch of the DHET.

“**NAMB**” means the National Artisan Moderation Body contemplated in Section 26A of the SDA.

2. National Registrar of Artisans

The DG of Higher Education and Training as prescribed in section 26(C)1 of the Skills Development Act No 97 of 1998 is the Registrar.

3. Categories of Registration

3.1.1 As prescribed by Section 26 (C) of the Skills Development Act, all artisans who have successfully completed a trade test in a listed trade and all foreign artisans **MUST** register with the DHET through the NADSC at the website <http://nadsc.dhet.gov.za/>, visit INDLELA or contact the National Artisan Development call center on 086 999 0125 to register in one of the following categories, in accordance with the prescribed form attached as Appendix A.

- (a) Practicing Artisan;
- (b) Non-Practicing Artisan;
- (c) Foreign National Practicing Artisan, and
- (d) Foreign National Non-Practicing Artisan.

3.1.2 The registration of artisans in terms of these regulations does not supersede or over rule any registration requirements of a relevant professional body for the listed trade as prescribed in section 26C (2)(b).

3.1.3 Proof of registration with the DHET is one of the pre-requirements to register with any relevant professional body.

4. Registration process

- 4.1 An applicant must complete the required application form (Annexure A), on the NADSC web site at <http://nadsc.dhet.gov.za/> visit INDLELA or call the NADSC on 086 999 0125 and upload all relevant documents as listed in sub-section 4.1(a),(b),(c) and (d) of these regulations in accordance with the relevant registration category:

4.1. (a) Practicing Artisans

1. A certified copy of ID document;
2. A certified copy of trade test certificate;
3. Proof of Address; and
4. For renewal also attach proof of previous registration.

(b) Non-Practicing Artisans

1. A certified copy of ID document;
2. A certified copy of trade test certificate;
3. Proof of Address; and
4. For renewal also attach proof of previous registration.

(c) Foreign National Practicing Artisans

1. A certified copy of passport;
2. Evidence of a legal visa or permit for entrance to the country issued by the Department of Home Affairs with the exclusion of a medical permit or visa;
3. A certified copy of a trade test certificate if the trade test was conducted in South Africa or;
4. Certified copies of all foreign trade qualifications;
5. Letter of foreign qualification evaluation issued by SAQA;
6. Proof of address; and
7. For renewal also attach proof of previous registration.

(d) Foreign National Non-Practicing Artisan:

1. A certified copy of passport;
 2. Evidence of a legal visa or permit for entrance to the country issued by the Department of Home Affairs with the exclusion of a medical permit or visa;
 3. A certified copy of a trade test certificate if the trade test was conducted in South Africa or;
 4. Certified copies of all foreign trade qualifications;
 5. Letter of foreign qualification evaluation issued by SAQA;
 8. Proof of address; and
 9. For renewal also attach proof of previous registration.
- 4.2 All certified copies must not be older than three (3) months.
- 4.3 Within 30 working days of registration the DHET will issue proof of registration in the form and manner determined by the DG to the applicant allocating a unique registration number.
- 4.4 If the DG refuses to register an applicant, the DG must give written notice of the decision to the applicant.
- 4.5 The registered artisan (Practicing and Non-Practicing) **must** renew his or her registration after a five (5) year period or if any of the conditions for registration change.
- 4.6 The registered FOREIGN NATIONAL ARTISAN (Practicing and Non-Practicing) **must** renew his or her registration after a three (3) year period or if any of the conditions of registration change.

5. De-registration of an artisan

- (a) The DG may deregister any category registered artisan :-
- i. At the unfortunate registration of death by the DHA.
 - ii. When a foreign national artisans work visa expires and they return to their country of origin.
 - iii. When the foreign national artisan is deported back to the country of origin under any law of the Republic of South Africa.
 - iv. Upon revoking of their trade certificates by QCTO.

- (b) The Registrar must provide written notice for deregistration to the registered artisan and the reasons for doing so within 30 days of deregistration.

6. Transitional Arrangements

- 6.1 As prescribed by the Skills Development Act, it is **mandatory** for all qualified artisans to register with the DHET.
- 6.2 As a transitional arrangement a period of 3 years will be given to all qualified artisans to register with the DHET.
- 6.3 Advocacy programs will be conducted in order to communicate, inform and promote the registration of artisans on the Artisan Register during the transitional period.
- 6.4 After the transitional period of 3 years, registration with DHET will be mandatory for all qualified artisans if they wish to register with any artisan professional body.
- 6.5 All foreign national artisans must register with DHET before applying for a critical skill visa or any work permit with the DHA.
- 6.6 Foreign national artisans will not be granted a critical skill visa by the DHA if they are not registered with DHET.
- 6.7 Newly qualified artisans will automatically be registered with the DHET when their trade test certificate is issued.

7. Delegation

The registrar as contemplated in Section 2 of this regulations may delegate any of the functions assigned to the post of registrar or any delegation to another person within DHET as contemplated in Section 26 l, of the Skills Development Act.97 of 1998 as amended in 2008.

8. Short title and commencement

These regulations are called the **National Register of Artisans Regulations 2020** and will take effect on a date to be determined by the Minister of Higher Education and Training by proclamation in the Government Gazette.

Appendix A: Application for Registration as an Artisan



higher education
& training

Department:
Higher Education and Training
REPUBLIC OF SOUTH AFRICA

Application for Registration on Register of Artisans.
(In terms of Section 26 (C) of the Skills Development Act.)

Application Details:

Application type:	New -Registration		Re-Registration	
Willingness to mentor Artisan Learners	Yes		No	
Title (Mr, Mrs, etc)				
Name				
Initials				
Surname				
ID. No.				
Passport No.				
Address				
Telephone				
e-mail				
Trade				
Date qualified				

Category of registration applied for:

No	Category	Mark X
1.	Practicing Artisan	
2.	Non-Practicing Artisan	
3.	Foreign National Practicing Artisan	
4.	Foreign National Non-Practicing Artisan	

Documents attached:

Document title	Yes	No	NA
Certified copy of ID document			
Certified copy of Passport			
Certified copy of Trade test certificate			
Certified copy of all foreign trade qualifications			
Letter of foreign qualification evaluation issued by SAQA			
Proof of address			

I, ID/Passport No.....
 hereby state that all the information given is true and that no false representation was made of qualifications. I understand that my registration if approved may be revoked if any false statement is made on this application.

.....
 Applicant

.....
 Date

For official use:

Received by:		Name	
		Designation	
		Date	
		Signature	
Recommended by:	Not recommended by	Name	
		Designation	
		Date	
		Signature	
Approved by:	Not approved by	Name	
		Designation	
		Date	
		Signature	
Captured by:		Name	
		Designation	
		Date	
		Signature	
Trade name:			
OFO Code:			
Registration no:			

Reason for non-recommendation:
Reason for non-approval:

